



ENVIRONMENTAL & REGULATORY SERVICES DIVISION  
BUREAU OF PECFA  
P.O. Box 8044  
Madison, Wisconsin 53708-8044  
TTY: Contact Through Relay

Jim Doyle, Governor  
Richard J. Leinenkugel, Secretary

## Wisconsin Department of Commerce, Bureau of PECFA Bid Document

### SECTION 1 - Scope of Work

The Bureau of PECFA is seeking competitive bids to perform remedial services for a petroleum release from a regulated petroleum product storage tank system. This bid is for a specified work scope. The site upon which bids are being solicited is:

**Bid Round:** 57

**Comm #:** 53813-9999-40-A  
**BRRTS #:** 02-22-194007  
**Site Name:** Bailey Oil Bulk Plant  
**Site Address:** 540 N Washington Street, Lancaster, 53813

**Site Manager:** Linda Hanefeld  
**Address:** 3911 Fish Hatchery Rd  
**City, State Zip:** Fitchburg, WI 53711-5367  
**Phone:** 608-275-3310  
**e-mail:** [Linda.Hanefeld@Wisconsin.gov](mailto:Linda.Hanefeld@Wisconsin.gov)

**Bid Manager:** Andrew Alles  
**Address:** P.O. Box 8044  
**City, State Zip:** Madison, Wisconsin 53708-8044  
**Phone:** (608) 261-8509  
**e-mail:** [Andy.Alles@Wisconsin.gov](mailto:Andy.Alles@Wisconsin.gov)

<b>Bid-Start Date:</b>	<b>October 6, 2008</b>
<b>Questions must be received by (See Section 2 (B)):</b>	<b>October 27, 2008, 4:00 PM</b>
<b>Responses will be posted by (See Section 2 (B)):</b>	<b>November 14, 2008</b>
<b>Bid-End Date and Time:</b>	<b>November 28, 2008, 4:00 PM</b>

The case file, including report(s) and other pertinent information upon which bids are being sought, are available for review at the Site Manager's location listed above. Please contact the Site Manager for an appointment to review the file.

Copies of report(s) and other pertinent information are available for purchase at the location listed below. If pertinent information is not available, please contact the Site Manager.

**Xer-Lith Printing, 131 W. Wilson St., Madison, WI 53703**  
**Phone: (608) 257-8900 Fax: (608) 257-8900**

## **SECTION 2 – Site-Specific Bid Requirements**

### **General Comments**

Historically there have been nine above-ground petroleum storage tanks (ASTs) and two underground petroleum storage tanks (USTs) present at this site, having contained diesel fuel, fuel oil and unleaded gasoline. According to the Department of Commerce Tank Database, one above-ground storage tank containing fuel oil remains in use. There were also two loading docks present on this site. Each loading dock was in a different location. Contamination at the site was first documented as a result of soil sampling in the vicinity of the two historic loading docks. Although the location and depths of the initial soil samples are not well documented, it is believed the soil contamination has been delineated and appears most severe in the vicinity of soil borings MW-1, GB-1, B-1. A prior consultant, Ramaker & Associates, Inc. delineated the soil contamination as an area approximately 50 feet wide (east/west) and 200 feet long (north/south) in vicinity of the filler station and six adjacent aboveground storage tanks.

Soils consist primarily of clay with some silt intermingled and range from 3 to 17 feet in thickness across the site. The soil is underlain by dolomite bedrock. No soil remediation of any type has taken place. However, a soil pile formerly stockpiled on-site has been removed.

Groundwater is present approximately 40-45 feet below ground surface (bgs) in bedrock. Flow is generally to the west. There are ten (10) water table observation wells and three (3) piezometers associated with the site investigation thus far. There is quite an extensive groundwater contamination plume associated with the site. Free product has been historically present in MW1 and MW5; sampling performed in 2007 confirms the presence of free product in MW5. The interim action budget for free product abatement has been depleted. PAHs have been analyzed in groundwater and naphthalene appears to be the PAH of concern at the present time.

No municipal wells are located within 1000 feet of the site. Private wells within 100 feet have not been documented.

### **Minimum Remedial Requirements**

Soils: It is believed that there may be 2 isolated areas of contamination as opposed to one large area of contamination. This bid will further define the extent of soil contamination in the vicinity of the former AST area and loading dock located on the eastern portion of the property.

Install 10 geoprobe borings in various locations across the eastern portion of the site, in general correlation with those identified on the site map provided with this bid specification. As noted above, depth to bedrock varies from 3 to 17 feet bgs. Available boring logs indicate bedrock in the area of concern was reached between 8-12 feet bgs. For the purposes of bidding, assume depth of borings to be 10 feet bgs. Soil borings shall be field-screened at 2 foot intervals. 2 soil samples from each boring shall be analyzed for the presence of Petroleum Volatile Organic Compounds (PVOCs) plus Naphthalene and Polycyclic Aromatic Hydrocarbons (PAHs). One sample will be collected from the soil/bedrock interface, the other will be collected from the area having the (next) highest field screening reading or from the 0-4 foot depth in the absence of positive field screening readings.

Groundwater: An additional round of ground water monitoring (all wells – PVOCs plus naphthalene) as outlined in the table below and elevation data also needs to be completed. It is possible free product will be encountered in MW5. Thickness of free product will be documented (if present) and bailed from any affected well prior to sampling. Updated groundwater elevation/flow maps will be compiled.

Conduct one round of semi annual groundwater monitoring in accordance with the schedule outlined below.

Monitoring Wells	Frequency	Parameters
All monitoring wells and piezometers	One Round	PVOCs + naphthalene

Any waste generated as a result of this scope of work must be disposed of appropriately. Waste disposal costs must be included in the bid response.

### **Documentation**

A brief report with updated maps, tables, and recommendations for further site activities (“DNR review to determine next steps” or a similarly simplistic recommendation is unacceptable) shall be completed and submitted to both Linda Hanefeld, WI DNR Project Manager and Andrew Alles, WI Department of Commerce Site Reviewer within 90 days of receiving the final laboratory reports.

The Department of Natural Resources (DNR) Project Manager shall be contacted if any well is dry during any monitoring event. The DNR Project Manager must also be contacted immediately if free product is found in any monitoring well associated with the site. The DNR Project Manager must be alerted to any other unusual occurrence(s) at the site as soon as practical after they are discovered.

Bidders shall provide costs for the items in the table on the 2<sup>nd</sup> Page of the Bid Response. If a completed 2<sup>nd</sup> Page is not included with the Bid Response, the Bid Response will be determined to be non-responsive. The winning bidder will not be allowed to move costs between the scopes of work items without prior Commerce approval.

### **SECTION 3 - Reporting Timeframes**

Within *60 days* of the Commerce notification of the maximum reimbursement amount, the responsible party (RP) must execute a written contract with one of the firms that submitted a bid. Failure to execute the written contract within this time will result in ineligibility of interest expenses incurred from the date of the reimbursement cap letter until a contract is executed and work commences at the site. Work must commence within *45 days* of signing a contract. There are specific reporting requirements in Comm 47.70 to monitor the progress of activities at each bid site and there may be additional reporting requirements outlined above. The consulting firm that is contracted to complete the scope of work is required to report the progress of this site to Commerce electronically on the web site at each of the following points:

1. Within fourteen days of executing or terminating a contract with the RP.
2. Three months after entering into the contract with the RP.
3. Twelve months after beginning the work in the successful bid, unless the project is completed before that time (point 6 applies).
4. Twelve months after submitting the previous report (point 3), unless the project is completed before that time (point 6 applies).

5. No later than 10 days after encountering a change in circumstances (the list of circumstances is in Comm 47.70 (3)).
6. No later than 30 days after completing the work.
7. As directed by Commerce.

If Commerce determines that the consulting firm is failing to make adequate progress to complete the scope of work, Commerce will notify the RP and may reduce the reimbursement to accurately reflect the work completed.

#### Claim Submittal

A claim must be submitted to Commerce within 120 days of submitting the report described in *Reporting Timeframe, point #6*. If a claim is not submitted by the deadline described above, interest costs from the date the report (point #6) is submitted to the date the claim is received will not be reimbursed to the claimant. The claim preparation cost must be included in the Total Bid Amount and is considered within the reimbursement cap.

#### Questions and Answers

Questions, answers and interpretations will be considered an amendment of this solicitation. All questions must be submitted in writing (fax and electronic mail submittals are acceptable) to the Bid Manager identified in Section 1 of this solicitation. All answers and interpretations shall be in writing from the Bid Manager. Neither the PECFA program nor Commerce shall be legally bound by any amendments or interpretations that are not in writing. Bidders are not to contact other personnel located within the Department of Commerce/Bureau of PECFA concerning the site or the bid solicitation between the Bid Announcement Date and Bid End Date. No further questions will be addressed after the deadline for submitting questions identified in Section 1.

### **SECTION 4 - Conditions of Bid**

The successful bidder will be the entity that complies with all provisions of the bid and provides the lowest total cost, excluding interest, for the site-specific bid requirements described in Section 2. In preparing the bid, the bidder must assume compliance with all applicable codes, including, but not limited to, §Comm 46, §Comm 47, and §NR 700 Wis. Admin. Codes.

The bid Commerce selects to determine the least costly method of remedial action will be the least costly qualified bid. Commerce will rank the bids solely on the basis of cost. Evaluation of bids will continue until the least costly qualified bid is identified. Submittals from an individual or firm during their period of disqualification from bidding, submittals received late and for submittals without a certified commitment (performance assurance and/or signature) will not be considered as bids. Commerce may disqualify a bid for the following reasons:

- Requirements of the bid specifications have not been met.
- The remedial strategy is not appropriate to the geologic setting.
- A Total Bid Amount is insufficient to fund the activities described in the bid specifications.

Commerce reserves the right to reject any and all bids.

Any proposed technology or methods used in the remediation must be allowed for use in the State of Wisconsin and approvable by the agency with jurisdiction (Natural Resources or Commerce).

The bidder Commerce intends to select may be required to provide input to and attend a meeting with the PECFA program and the claimant to explain the bid and remedial approach.

If a bid is disqualified, Commerce will provide written notification to any individual or firm that submitted a disqualified bid. The notification shall specify the reasons for the disqualification, and inform the individual or firm of their right to protest or appeal the decision. If a bid is more costly than the bid Commerce intends to select, the bid will not be reviewed.

The *Notice of Intent* will identify the least costly bid, disqualified bid(s) and bid(s) not reviewed. The *Notice of Intent* will be sent to the RP and will be posted on PECFA's Internet Web site.

## **SECTION 5 - Instructions to Bidders**

Between the bid start and end dates, bidders shall not discuss or attempt to negotiate any aspects of the bid with the RP, other potential bidders or program staff without prior approval of the Bid Manager identified in Section 1. Infractions will result in rejection of the violator's bid and may result in a formal complaint being filed with the Department of Regulation and Licensing.

If access to the site is necessary for the preparation of a bid, access shall be arranged through the Bid Manager. If the Bid Manager is not able to arrange site access, this will not delay the bid process nor negate the comparison and selection from among the bids submitted. All costs associated with a site visit or preparation of a bid will be the bidder's responsibility.

The Bidding Process must conform to the following:

1. The Bid Response shall address all the site-specific bid requirements identified in Section 2.
2. The total bid amount to accomplish the stated goal must include all fees, reporting costs, pre- and post-closure costs and costs for establishing restrictions or institutional controls, when applicable (interest costs are excluded).
3. The submittal must include a copy of the Bid Response document signed by a Professional Engineer, Professional Geologist, Hydrologist or Soil Scientist licensed by the State of Wisconsin. The appropriate registration number of the professional license must be included. Registration requirements are listed in Comm 5.
4. Bids *cannot* be faxed or sent electronically (email) to the program. Documents received by fax or email will not be considered.
5. Bids, amendments thereto or withdrawal requests must be received by 4 pm on the bid end date.
6. The consulting firm's name must be included and all pages of the Bid Response.
7. All costs must be printed (ink, typewritten or computer). Errors must be crossed out, corrections entered and initialed by the person signing the bid. Correction fluid

is not allowed. No bid shall be altered or amended after the time specified for the bid end date.

8. Each bidder shall fully acquaint themselves with conditions relating to the scope and restrictions attending to the execution of the work under the conditions of this bid. The failure of a bidder to acquaint themselves with existing documented conditions shall in no way relieve any obligation with respect to this bid.
9. All amendments to and interpretations of this bid shall be in writing from the Bid Manager. Neither Commerce nor the program shall be legally bound by any amendment or interpretation that is not in writing.
10. This bid is intended to promote competition. If the language, specifications, terms and conditions, or any combination thereof restricts or limits the requirements in this bid to a single source, it shall be the responsibility of the interested bidders to notify the program in writing so as to be received five days prior to the opening date. The bid may or may not be changed; however a review of such notification will be made prior to award.

#### **SECTION 6 - Bidder Disqualification**

Commerce may disqualify from public bidding any individual or firm that has committed any of the following (Comm 47.67 (1) (a)):

1. Failed to complete the scope of work within the reimbursement cost cap established through public bidding.
2. Failed to complete the scope of work in a bid in a timely manner.
3. Failed to follow DNR rules on the bid project.
4. Received one or more notices from Commerce under s. Comm 47.62 (2) that assess the financial management of an investigation as unacceptable.
5. In any prior occurrence that has been publicly bid, failed to do either of the following:
  - a. Pay subcontractors after receiving payment for them.
  - b. Obtain lien waivers on or before the date of the final payment by the RP or the PECFA program, from all subcontractors paid under subd. 5. a.
6. Failed to execute a contract with the RP as required in s. Comm 47.69 (1).
7. Failed to commence work within 45 days after executing a contract, as required in s. Comm 47.69 (3).

Commerce may disqualify any individual or firm from performing further work on a project if the individual or firm has not completed any of the six reporting points required in Comm 47.70 and outlined in Section 2 of this bid document. Commerce will review and address the issue as stated in Comm 47.70 (4).

## BID RESPONSE

(1<sup>st</sup> Page)

Department of Commerce PECFA Program

**SITE NAME: Bailey Oil Bulk Plant**

**COMMERCE #: 53813-9999-40-A**

**BRRTS #: 02-22-194007**

Submit Bid Response To: Cathy Voges  
Public Bid Response  
Department of Commerce PECFA Bureau  
201 W Washington Ave, Madison WI 53703-2760 or  
PO Box 8044, Madison WI 53708-8044

Consulting Firm Name: \_\_\_\_\_

Complete Mailing \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: (     ) - \_\_\_\_\_

Fax Number: (     ) - \_\_\_\_\_

E-mail Address: \_\_\_\_\_

Bidder (check one that applies):

<input type="checkbox"/>	Professional Engineer	License #	_____
<input type="checkbox"/>	Professional Geologist	License #	_____
<input type="checkbox"/>	Hydrologist	License #	_____
<input type="checkbox"/>	Soil Scientist	License #	_____

Total Bid Amount: \$ \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

I certify that I have the authority to commit my organization or firm to the performance of the bid I have submitted.

Signature: \_\_\_\_\_

Personal information you provide may be used for secondary purposes [Privacy Law, s. 15.04(1)(m)].

## BID RESPONSE

(2<sup>nd</sup> Page)

Department of Commerce PECFA Program

**SITE NAME: Bailey Oil Bulk Plant**

**COMMERCE #: 53813-9999-40-A**

**BRRTS #: 02-22-194007**

**Consulting Firm Name:** \_\_\_\_\_

A bid will be considered non-compliant if the bid response does not include a separate tabulation of costs for each activity.

1	Installation of ten soil borings (assume approximately ten feet below ground surface (bgs) )	\$	
2	Soil Sampling with lab analysis for PVOCs + Naphthalene+ PAHs (includes collection and analysis)	\$	
3	Groundwater Monitoring (include analytical cost) per event	\$	
4	Waste Disposal for all waste generated on-site	\$	
5	Report Preparation and Submittal	\$	
6	Other (If necessary), specify	\$	
7	Bid Total	\$	